



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON, D.C. 20370-5100

TRG

Docket No: 3559-00

28 November 2000

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy filed enclosure (1) with this Board requesting that his reenlistment code be changed.

2. The Board, consisting of Mr. Pfeiffer, Mr. Zsalman and Ms. Gilbert, reviewed Petitioner's allegations of error and injustice on 14 November 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy on 7 February 1989 and served continuously on active duty for over eight years. On 16 January 1996 he was advanced to GSE2 (E-5). His performance evaluations show that during the period 16 March 1996 to 27 June 1997, he failed the physical fitness test on several occasions and was not within body fat standards. The discharge package is not in the record. However, the DD Form 214 shows that he was honorably discharged on 3 July 1997 by reason of weight control failure. At that time he was assigned an RE-4 reenlistment code.

d. Petitioner's performance evaluation for the period 16 March 1997 to 27 June 1997 shows an adverse mark of 1.0 in military bearing because of his physical fitness and weight problems, but average or above average marks in all other categories. Because of the adverse mark, he was not recommended

for advancement or retention in the Navy.

e. The board is aware that regulations allow for the assignment of an RE-3T or an RE-4 reenlistment code when an individual is discharged because of weight control failure.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes that Petitioner's performance was satisfactory except for his inability to meet the weight standards. Given the circumstances, the Board concludes that no useful purpose is now served by the assignment of the most restrictive RE-4 reenlistment code, and the code should now be changed to RE-3T. This code will alert recruiters that Petitioner must meet the physical readiness and weight standards before reenlistment can be considered.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 3 July 1997 he was assigned an RE-3T reenlistment code vice the RE-4 reenlistment code now of record.

b. That this Report of Proceedings be filed in Petitioner's naval record.


4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



ALAN E. GOLDSMITH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



For W. DEAN PFEIFFER  
Executive Director